



LAWWORKS CLINICS NETWORK REPORT APRIL 2014 - MARCH 2015

**Analysis of pro bono legal advice work being done
across the LawWorks Clinics Network between
April 2014 and March 2015**

LawWorks, November 2015

Supported by
The Law Society

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Foreword

The profile of pro bono has rarely been higher – and the contribution of the legal profession in dedicating time, expertise and commitment possibly never greater.

The legal profession has a proud tradition of pro bono – for many, it is a vital part of being a lawyer.

Demand has never been greater: cuts to legal aid, reduced funding for law centres and local advice services, and the introduction of tribunal and court fees have significantly reduced the ability of many to access legal advice and representation.

Pro bono, while it makes an important and profound contribution to enabling access to justice, is not – and should not be seen as – an alternative to legal aid. Pro bono works most effectively when it compliments and supports wider legal and advice provision – and is tailored to best meet need. It also needs an ‘infrastructure’ to flourish and survive, not least local organisations or groups able to facilitate, host or support pro bono volunteers.

Local pro bono advice clinics play a vital role, and make a massive contribution towards, supporting individuals and communities. There is no typical advice clinic: there is considerable diversity in their size, regularity and services offered. But what they all share is the vital component of volunteering: by solicitors (from firms and in-house teams), barristers, trainees, pupils, legal executives, paralegals, law students and law schools, and others.

The volunteering of law students and the support of law schools deserves particular recognition – making a difference to local communities, but also providing valuable experience and learning for the lawyers of tomorrow, and potentially a commitment to pro bono which can last a lifetime.

The clinics in the LawWorks Network are independent and self-managed. Our role includes working with stakeholders to help set up new clinics, including advice and guidance on issues such as regulatory requirements, insurance and volunteer recruitment. We provide ongoing support where needed, including ‘troubleshooting’ advice, but also training, networking opportunities and online information and resources. But importantly, by being part of a network, we can help highlight and celebrate the work of clinics and volunteers, and identify potential trends and developments.

This report brings together data and information from different surveys. In the year April 2014 to March 2015, there were over 43,000 enquiries at clinics, with over 28,000 clients receiving legal advice and nearly 8,000 given information, signposting or referral. While this represents a large increase in enquiries compared with the previous year, we need to be cautious about extrapolating trends, particularly as the number of clinics in the network has grown. However, most clinics report an increase in demand for advice, and an increase in the complexity of issues. The reported increase in enquiries in some areas of law, particularly family law, but also for housing and employment, reflects the experience of advice agencies and law centres.

But numbers alone do not, of course, reveal individual stories, experiences or emotions. Not every legal problem can be solved or solved satisfactorily, but the advice pro bono clinics provide can improve lives for the better.

The clinics in the LawWorks Clinic Network should be rightfully proud of the work they do and the positive contribution they make. We would like to thank the thousands of pro bono volunteers, and the advice workers, staff and volunteers that make each clinic possible.

Martin Barnes
Chief Executive, LawWorks

Introduction

LAWWORKS AND THE LAWWORKS CLINICS NETWORK

LawWorks is the operating name for the Solicitors Pro Bono Group, a national charity working across England and Wales. LawWorks aims to inspire and support lawyers and law students to engage in pro bono activity which supports both:

- individuals in need of legal help, who are not eligible for legal aid and are without the means to pay for a lawyer; and
- small not-for-profit organisations, to support the continuation and expansion of their services to people in need.

LawWorks supports and develops a growing network of pro bono clinics across the country, each delivering free legal advice and assistance to individuals in need of help. Setting up and supporting free legal advice clinics has been a long-standing feature of LawWorks' work and in March 2015 there were 219 clinics in the Clinics Network.

As this report will highlight, while each clinic is unique, they generally involve a partnership bringing together a mix of law firms, in-house legal teams, barristers and law schools, working with advice agencies and other charities to support individuals in the local community.

The clinics team at LawWorks supports both the development of new clinic services, from initial idea stage through to piloting and launch, as well as providing ongoing support and consultancy to established clinics. This support includes:

- **Consultancy:** LawWorks works with stakeholders to identify local need and provides support through the stages required to set up a new legal advice clinic.
- **Training:** LawWorks runs free, CPD-accredited training sessions covering many areas of social welfare law and advice skills, available in-person and recordings online.
- **Troubleshooting:** LawWorks provides advice and guidance to clinics on issues such as regulatory requirements, volunteer recruitment and clinic expansion.
- **Resources:** Members of the LawWorks Clinics Network get free access to software such as legal research tools, secure document storage solutions, as well as factsheets, toolkits and template resources for use in clinics.
- **Networking:** LawWorks runs in-person and online networking events connecting clinic stakeholders to discuss common issues and share best practise.
- **Awards:** LawWorks runs annual awards recognising excellence in the pro bono work being done by lawyers and law schools.

LawWorks supports clinics in the network to collect monitoring data on the work being done at clinics, and the clients that access their services. LawWorks collates this data to produce a national picture of the contribution that pro bono advice clinics



LawWorks
Clinics
Network

in the network are making, and highlights emerging trends and issues which clinics across the network are experiencing.

This report presents the data collected from clinics for the work conducted during the period of April 2014 – March 2015, and presents it in comparison with data from the previous year.

Two years on from the implementation of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 which resulted in an almost 80% reduction in the number of cases funded by civil legal aid¹, this report looks at the important role pro bono clinics play in the access to justice landscape across England & Wales. While free legal advice clinics cannot be a substitute for legal aid, clinics report that they are experiencing considerable growth in the demand for their services from the public.

We would like to thank the clinic co-ordinators that provided statistics to inform this report. We would also like to acknowledge the tireless work of the thousands that volunteer their time at free legal advice clinics, and the vital advice workers, supervisors and support staff that make each clinic possible.

“The person I saw was very kind, patient, and made me feel comfortable. They took their time to explain things in a way that I could understand”.

¹ Ministry of Justice, (2014), “Legal Aid Statistics in England and Wales 2013-2014”, p19. Accessible at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/328901/legal-aid-statistics-2013-14.pdf

Methodology

This report draws principally on data obtained from two surveys conducted with nominated clinic representatives for the periods April 2014 to September 2014 and October 2014 to March 2015 respectively. In order to get an accurate account of pro bono activity taking place in clinics across England & Wales, LawWorks requests all clinics across the network participate in these surveys. This year we have had responses from 80.6% of the network.

The surveys elicit responses on key aspects of the clinic's activities over each relevant period. Broadly, these concern: the enquiries received by the clinic, how these enquiries have been dealt with, the area of law advice was given in, as well as details concerning volunteer make up, and the number and diversity of the clients accessing the clinic.

In addition, LawWorks conducted a separate survey in July and August 2015 seeking feedback from all registered clinic co-ordinators on trends and challenges faced by their clinic over the previous year. We received a response from 49 co-ordinators across England & Wales, representing 105 clinics participating in the LawWorks network (as some individuals coordinate more than one clinic).

LawWorks also conducted a separate survey in May and June 2015 for law students who had undertaken a pro bono activity over the preceding academic year. The survey was distributed through law schools and publicised via social media. We had 79 responses from students in England & Wales. While most of the data collected in this survey will be published in a separate report, where particularly relevant to pro bono clinics some of this data is included in this report.

In addition to data obtained from the various surveys mentioned above, LawWorks maintains a database of key information on each clinic's services with this information being provided by a representative of the clinic at the time of registration to the network. This information is updated on an ongoing basis as the clinic's services evolve and changes are notified to LawWorks. This data we hold on individual clinics informs the '*Services Offered*' and '*Methods of Service Delivery*' sections of this report.

To better understand the client experience, a sample of 80 individuals accessing clinics in Wales were interviewed over the 12 month reporting period. Participants were surveyed before they were given advice, immediately after being given advice and then via follow up phone calls which took place around three months after they were given the advice.

A note on pro bono hours

As part of the six-monthly data collection noted above, LawWorks requested data on the number of hours volunteers have contributed to each clinic. On analysing this data we discerned some irregularities in a number of cases and as such we feel that this data is unreliable. We have therefore excluded this data from the report and have changed the way this data is collected to ensure that it is accurately collected in future.

Clinics outside England & Wales

The data from this report relates to pro bono clinic work in England & Wales only. While LawWorks maintains links with a number of clinics outside England & Wales and supports them to collect data on their activities, for the sake of clarity, that data is not contained in this report.

Executive Summary

This report details the pro bono advice and assistance carried out by pro bono clinics participating in the LawWorks Clinics Network for the period 1 April 2014 to 31 March 2015. The main findings are summarised below:

CLINIC SERVICES AVAILABLE

- There were 219 clinics across England & Wales in the LawWorks Clinics Network on 31 March 2015, an increase of 25% on the previous year.
- 89% of clinics said that they offer initial advice, 55% offer written advice, 37% offer form filling, 35% offer casework and 31% offer representation.
- 91% of clinics offer face-to-face advice, 35% telephone advice and 24% online or email advice.
- 59% offer advice by appointment and 48% offer drop-in advice.

219
clinics in the
LawWorks
Clinics
Network

CLINIC ENQUIRIES & ADVICE

- There were a total of over 43,000 individual enquiries at clinics in the period between April 2014 and March 2015, a 55% increase on the previous year.
- Over 28,000 clients were given legal advice at a clinic and nearly 8,000 were given general information or signposted or referred to other services.
- 32% of clinics in the network are law school clinics and collectively, they dealt with over 11,000 enquiries last year with 41% of clients receiving legal advice.

Over 43,000
enquiries at
clinics last year, a
55% increase

28,000

clients given legal
advice last year

AREAS OF LAW

- Housing, civil litigation, employment and family law are the most common areas of law available across the clinics network.
- Employment, housing and family law are the three most common areas of law for which legal advice was given. The full breakdown (by area of law) is: employment 19.4%, housing 18%, family law 17.1%, asylum and immigration 9.8%, consumer and contract law 8.7%, human rights 6.5%, civil litigation 4.5%, debt 2.9%, welfare benefits 2.5%, crime 2.4% and business & charity law 2.4%.
- There has been a notable increase in the provision of family law advice at pro bono clinics, rising by 150% over the last 12 months. Asylum and immigration is also up significantly on the previous year with a 106% increase. A 64% rise in housing law advice and 50% rise in employment advice has also been reported.

A purple circular graphic with a white border. Inside, the text reads: "+150% increase in family law advice".


+150%
increase in
family law
advice

PRO BONO VOLUNTEERING

- 4,589 individuals volunteered across the LawWorks Clinics Network last year, of which 46.3% are lawyers and 45.4% are students.
- There was a 119% increase in the number of lawyers volunteering across the network compared to the previous year. There was also a significant increase for legal executives and paralegals.

4,589

**volunteers across the
network**

A purple rectangular graphic with a white border. Inside, the text reads: "119% increase in the number of lawyers volunteering across the network".

**119% increase in
the number of
lawyers
volunteering across
the network**

CLIENTS

Where recorded:

- 64% of clinic clients have a household income below the Joseph Rowntree Foundation Minimum Income Standard threshold which was £16,284.
- 49.6% of clinic clients are female, 49.2% are male and 1.2% are of non-binary gender.
- Over half of clinic clients are from ethnic minority groups, a proportion considerably higher than the 14% of the UK general population from ethnic minority backgrounds as identified in the 2011 UK census.
- Over half of clinic clients are aged between 25 and 45 with less than 8% under 25 and less than 5% over 65.
- 27.2% of clinic clients report having a disability, a proportion significantly higher than the 19% of the population estimated to have a disability.

**64% of clinic clients
below minimum
income standard**

27.2%
**of clients
have a
disability**

CLIENT IMPACT ASSESSMENT

Based on the survey of clients who accessed clinics in Wales:

- Nearly 70% of clinic clients felt that their mental or physical health had improved as a result of the legal advice they received at the clinic.
- 76% of clinic clients felt less stressed as a result of the advice they received at the clinic.

76%
**of clients less
stressed after advice**

- Just over 90% of clients, that felt it was relevant to their situation, reported that the advice they received had led to an improvement in their relationships with their family.
- 95% of clinic clients felt they had a better understanding of their matter after receiving advice at the clinic.

CLINIC TRENDS

Of those reporting:

- 95% of clinics report an increase in demand for advice over the last year (April 2014 – March 2015), 74% have seen an increase in the complexity of legal matters at the clinics and 61% have seen clients presenting at a later stage in their problem or issue.
- 74% of clinics have seen an increase in the number of clients in crisis or distress.
- While 48% of clinics say that they have experienced difficulty in sourcing and retaining pro bono volunteers, 49% have witnessed an increased willingness from lawyers and students to volunteer. 45% feel there is less expertise in the relevant areas of law compared to last year.
- It remains a challenging environment for clinics with 41% experiencing reduced capacity to provide pro bono services, 40% with reduced access to funding to run their clinics and 35% finding it difficult to provide adequate supervision.

95% of clinics have seen an increase in demand over the last year

49%

increased willingness from lawyers and students to volunteer

Clinic Services: April 2014 – March 2015

SERVICES OFFERED

At 31 March 2015, there were 219 clinics in the LawWorks Clinics Network across England and Wales, a 25% increase on the same time the previous year. There is considerable diversity in the services offered by each clinic and in the modes by which these services are delivered. In this section we set out the types of pro bono services offered by the 219 clinics in the network, together with information on how these services can be accessed by clients.

Figure 1 below illustrates the range of pro bono services provided by clinics in the network, showing the proportion of clinics that offer each distinct service. Many clinics offer more than one of the services indicated.

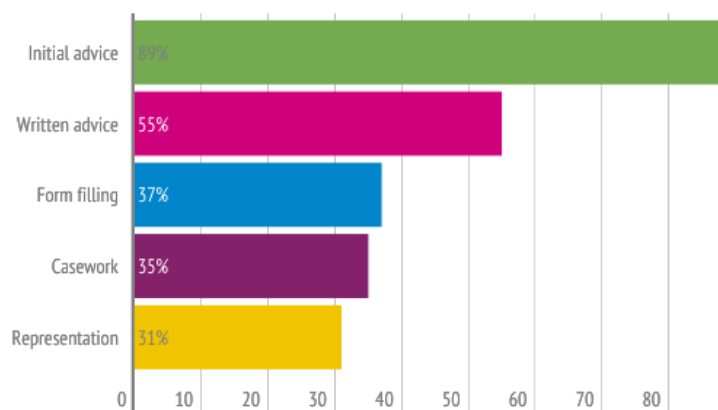


Figure 1.

The vast majority of clinics (89%) offer initial advice. Over half of clinics (55%) offer to provide clients with written advice, and over a third of clinics (37%) offer assistance with form filling.

Historically pro bono clinics have targeted their resources towards the provision of initial advice for clients, and this continues to be the main service offered. However, we are also seeing a growth in the number of clinics that are offering a casework or representation component to their service.

89% of clinics offer initial advice

25%
increase in the LawWorks Clinics Network

31% of clinics now offer representation. This is a considerable increase from the 19% of the network offering representation the previous year.

The number of clinics providing casework services to clients has also grown considerably over the last year with 35% of clinics now offering casework, growing from 23% of clinics last year. Figure 2 below represents the growth in the number of clinics offering casework; this was 30 clinics in 2014 which has grown to 73 clinics this year.

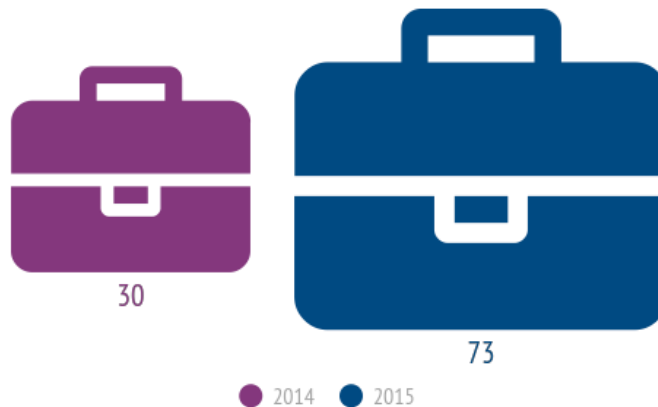


Figure 2.

The frequency and regularity of pro bono clinics varies - they may operate on a daily, weekly, fortnightly, monthly or ad hoc basis. Data from the clinic surveys shows that the average clinic is open nine months per year.

Just under half of clinics (45%) report being open for 12 months during the year. That a proportion of clinics do not offer a full service across the whole year is not unexpected, however, as many law school clinics either close or operate on a reduced basis over the summer period. Further analysis into the reasons behind the closure of non-law-school clinics for part of the year is required.

**On average clinics
are open for 9
months per year**

METHODS OF SERVICE DELIVERY

There are a variety of means by which clinics provide pro bono legal advice and services to members of the public. There is no universal approach applicable to every clinic; each will have developed its own particular model having had regard to client needs, the local conditions and clinic resourcing (e.g., availability of volunteers) and capacity.

In figure 3 below we set out the methods by which advice is currently delivered. Face to face advice is available at the vast majority of clinics (91%), telephone advice is available at over a third of clinics (35%), and online or email advice is available at nearly a quarter of clinics (24%).

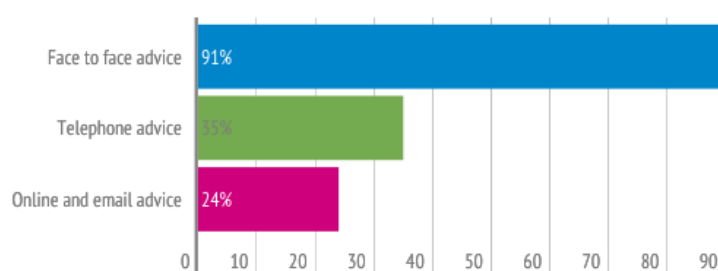


Figure 3.

Increasingly clinics are exploring the use of video conferencing (e.g., Skype) technology as a model by which to provide advice, particularly where clinics want to address geographical barriers to access to justice. Over the last year LawWorks has assisted three new clinics making use of this technology to launch and this is a trend we anticipate will continue.

59% of clinics offer advice by appointment and 48% offer advice to clients on a drop-in basis. Some 7% of clinics have elected to offer advice both by appointment and on a drop-in basis.

91%

offer face to face advice

**3 clinics using Skype
launched last year**

48%

run a drop-in clinic

CLINIC ENQUIRIES & ADVICE

In 2014/15 there were 43,043 separate enquiries received by clinics across the network. This represents a 55% increase in the number of enquiries received in comparison with the previous year, due in part to the increase in the number of clinics in the Network. The growth in enquiries received is represented below.

**Over 43,000 enquiries
at clinics last year**

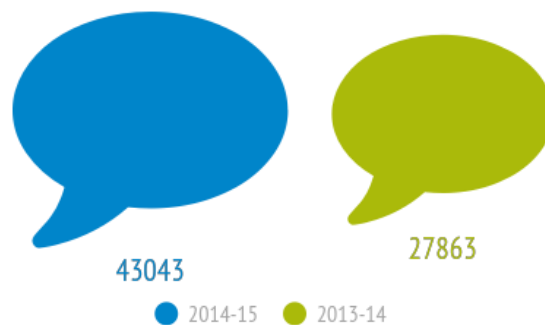


Figure 4.

Not all enquiries received will result in the giving of legal advice: 71% of clinic enquiries (28,168) resulted in clients receiving advice. This is an increase of 69% on the number of clients who have received advice compared to the previous year. Again, part of this increase will be due to the increase in the number of clinics in the Network.

Each clinic will have in place policies and procedures for identifying types of enquiries that warrant advice; if advice is not needed or available, then appropriate information, signposting or referral will be provided. Over the last year, 7,843 clients (19.7%) received general information, signposting or referral.

Policies to identify how to assist clients are generally focused on the needs of clients and the capacity of the clinic to provide advice in the relevant area. In some cases, and particularly in law school clinics, the educational needs of the students may also be an influencing factor for clinics deciding how to deal with a request for assistance.

Figure 5 below shows how enquiries were dealt with across the network over the last year. While the vast majority of clients are helped, in 9% of cases clinics have indicated that neither advice or information, signposting or referral was provided. This figure is an improvement on last year, where 15% of client enquiries resulted in no help being provided.

There are a number of reasons why a client might not have received help at a clinic, for example, where they have already exhausted alternative referral options, or the clinic assess there to be no unresolved legal issue to assist with. LawWorks is committed to undertake further examination into the matter (including exploring whether there is an issue with data recording) and link with partner organisations to explore opportunities to increase the support available to clients in this category.



Figure 5.

Each clinic will also decide on its approach to the acceptance of returning clients where the support is limited to discrete pieces of advice. They will decide whether advice is provided strictly on a one-off basis or can be given over a number of occasions. Across the network, a fifth of enquiries last year were recorded as being from returning clients.

**20% of enquiries
are returning
clients**

Later in this report, we will highlight clinic co-ordinators' observations on the growing complexity of client enquiries. That such a high proportion of enquiries are returning clients may suggest that a proportion have been unable to obtain assistance with their complex cases elsewhere, or the clinic is supporting the client through an 'unbundling' process whereby volunteers help the client to break a complex legal issue into smaller parts with support being provided in stages. Of course, a number of returning clients will also be individuals coming back to a clinic with a new legal issue they are facing.

LAW SCHOOL CLINIC ENQUIRIES

Nearly a third of clinics in the network (32%) operate with law schools. Across the year these particular clinics received 11,100 enquiries, over a quarter (26%) of all enquiries received across the network. Of these enquiries, 4,576 (41%) received advice, compared to 71% of enquiries resulting in advice across the network as a whole.

One feature of the law school clinic is that in many cases the services will either be closed or operating on a reduced basis over the summer period. Law school clinics receive more than double the number of enquiries during the autumn/winter period (7751 enquiries) compared with spring/summer (3349 enquiries). This is understandable given that a number of law school clinics will close or reduce their services over the exam and summer holiday periods.

32% of clinics
in the network are
law school clinics

11,100
enquiries across law
school clinics last year

Areas of Law

ADVICE AVAILABLE

In this section we look at the areas of law for which clinics are able to provide advice in 2014/15. We follow this with our analysis of the areas of law in which advice was actually provided, and changes compared with the previous year.

The legal problems that bring people into pro bono clinics can be very diverse in nature. Each clinic will decide which areas of law it will offer advice on, informed by local legal need, its own priorities and the expertise of supervisors and volunteers. Some clinics are specialist in nature and will narrow their offering to advice within particular areas of law. Other clinics are more generalist in scope, offering advice across a broader spectrum of legal areas.

In figure 6 below we represent the proportion of clinics offering the different areas of law available.

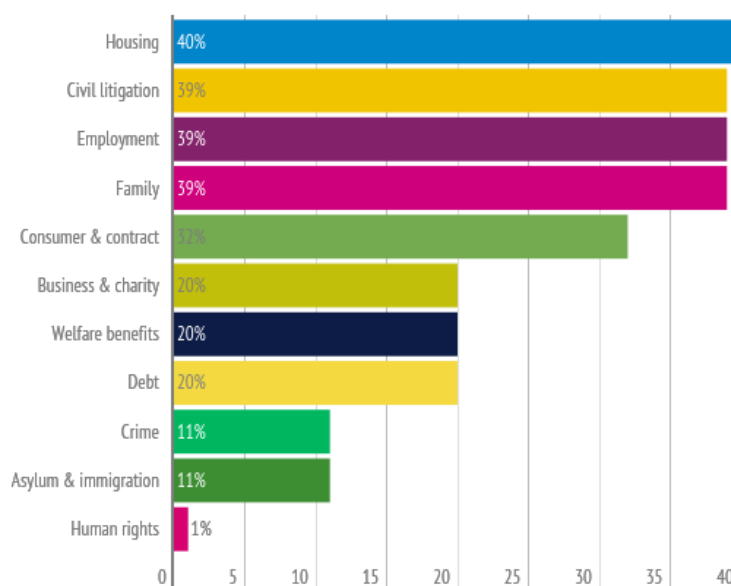


Figure 6.

The area of law most commonly available at clinics is housing law at 40% of the network. This is followed closely by civil litigation, employment and family law each sitting at 39%. 32% of clinics offer advice in consumer & contract law, with smaller numbers of clinics offering advice on welfare benefits. (20%), business & charity law (20%), debt (20%), crime (11%), asylum & immigration (11%) and human rights (1%).

**housing
most
commonly
available
area of law**

ADVICE PROVIDED

The areas of law for which legal advice was provided is illustrated in figure 7 below.

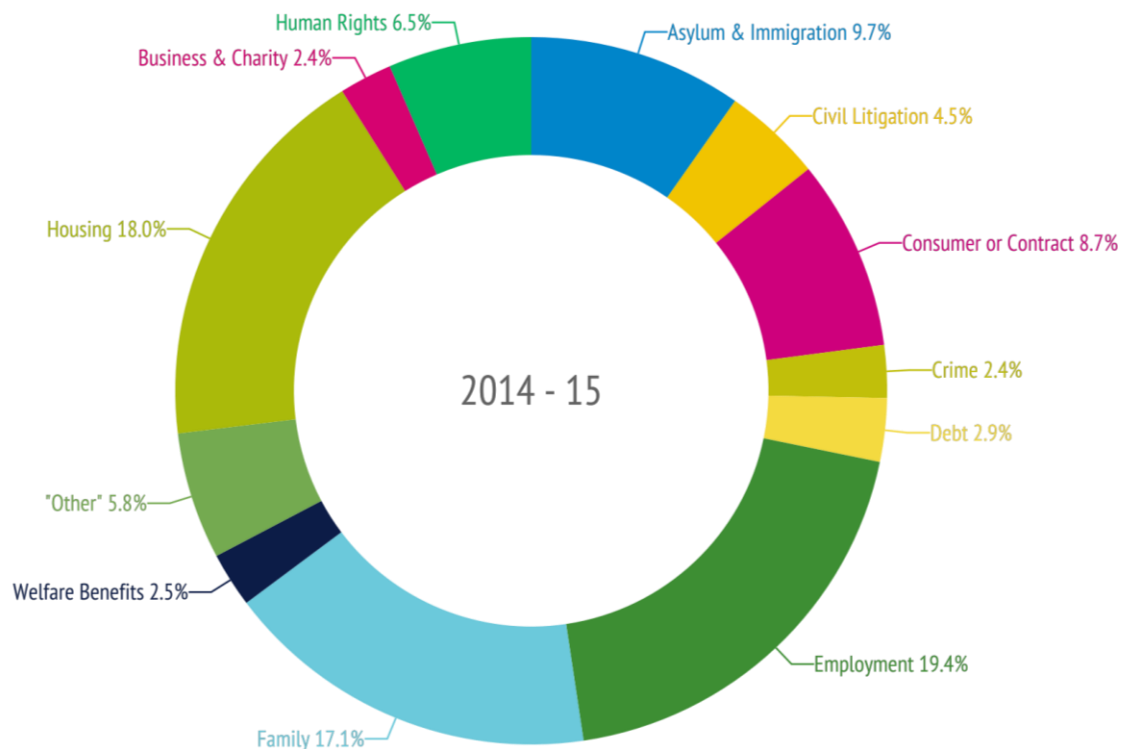


Figure 7.

Employment law is the area of advice most commonly provided at clinics, representing 19.4% of the total advice given. This is followed by housing law at 18% and family law at 17.1%. These three areas of law make up over half (54.5%) of all advice provided across the network.

Employment, housing, and family law make up over half of all advice provided in clinics

Asylum and immigration, including asylum support makes up 9.7% of advice provided. This is followed by consumer/contract law which constitutes 8.7% of the clinics' advice output.

In these figures, we have also included the category of 'other', which makes up 5.8% of the total. This category is intended to capture advice provided that does not fit within any of the other named categories. Respondents were given the option to indicate in their survey submission the other areas of advice provided. Responses included professional or clinical negligence, personal injury, police complaints, education law and defamation.

In figure 8 below we illustrate the change in the number of separate pieces of advice provided compared to the previous year, across different areas of law.

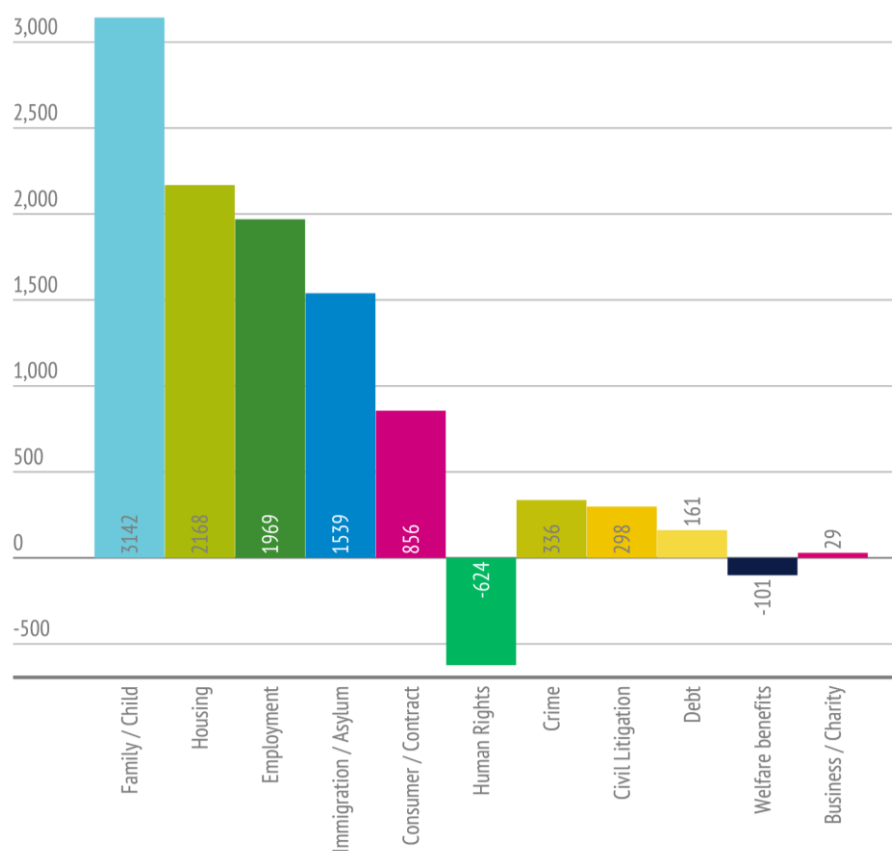


Figure 8.

The largest increase in advice provided was in family law, with an increase of 3,142 compared to the previous year. This is an increase of 150%, up from an increase of 42% in 2013/14. Housing and employment law also saw significant increases, with the number of pieces of advice provided increasing by 2,168 and 1,969 respectively.

3142 increase in people given family law advice

In asylum and immigration law 1,539 more pieces of advice were provided compared to the previous year.

In last year's clinics report we highlighted the increase in demand for family law advice experienced by clinics, noting that this was one of the key areas most affected by the changes brought about by the *Legal Aid, Sentencing and Punishment of Offenders Act 2012* (LASPO).

The National Audit Office Report *Implementing Reforms to Civil Legal Aid*² highlighted that in 2013/14, there was a reduction of over 160,000 family cases funded by legal aid compared to the previous year.³ The number of family law cases where neither party was represented increased by 30% that year.⁴

Reflecting on the changes that have occurred over the last two years, the Family Law Bar Association stated:

*"over 13,000 families per month, all of them in trying circumstances, and many of them including vulnerable people, have not been getting legal help."*⁵

Against this backdrop of change it is understandable that pro bono clinics would experience such a significant increase in demand for free legal advice in the area of family law.

Immigration and asylum advice has also seen a significant increase of 106%; this again is an acceleration of the 76.4% increase observed in clinics in the previous year. This increase is consistent with the findings of a Ministry of Justice Analytical Series Report on the impact of LASPO on aspects of immigration law:

*"The general perception amongst the majority of different stakeholder interviewed was that there had been an increase in the amount of pro bono or reduced rate work undertaken by legal firms and frontline organisations."*⁶

+150%
increase in
family law
advice

+106%
increase in
asylum and
immigration
advice

² National Audit Office Report, (2014), *"Implementing Reforms to Civil Legal Aid"*, HC784 17. Accessible at <http://www.nao.org.uk/wp-content/uploads/2014/11/Implementing-reforms-to-civil-legal-aid1.pdf>.


³ *Ibid.* p22, para 2.7.

⁴ *Ibid.* p15, para 1.25.

⁵ Family Law Bar Association, (2015), *"Access to Justice in the Family Court"*, Accessible at <http://flba.co.uk/wp-content/uploads/2015/04/flba-online.pdf>

⁶ Anita Krishnamurthy and Karen Moreton, MOJ Analytical Series (2015), *"Monitoring the early impacts of the Legal Aid, Sentencing and Punishment of Offenders Act (2012) on onward immigration appeals"*, p30. Accessible at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/449626/monitoring-early-impacts-of-LASPO-act-2012-onward-immigration-appeals.pdf,

There was a 49.6% increase in employment advice taking place at clinics which reverses the trend seen last year where there was a 9.9% decrease in employment advice given at clinics. This is against a backdrop where employment tribunal claims have reduced significantly⁷, which some commentators argue is a result of the introduction of employment tribunal fees.⁸



+49.6%
increase in
employment
advice

There were also increases in the advice provided in housing law (up 64%) and consumer/contract law (up 47%).

Interestingly, despite the growth of the clinics network over the last year, there has been a 24% decrease in the amount of human rights advice being delivered across the network, and a 12% drop in the delivery of welfare benefits advice. The reasons for this are unclear and we will be consulting with clinics to identify the contributory reasons.

⁷ Ministry of Justice Bulletin, (2015) *"Tribunal and Gender Recognition Certificate Statistics Quarterly, January to March 2015"*, p8. Accessible at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/434176/tribunal-gender-statistics-jan-mar-2015.pdf

⁸ Royland Gribben, The Telegraph, (17 March 2015), *"Employment tribunals drop by 70pc as staff discouraged by fees"*. Accessible at www.telegraph.co.uk/finance/jobs/11475926/Employment-tribunals-drop-by-70pc-as-staff-discouraged-by-fees.html

Regional Variation

With clinics in the network spread across England and Wales, the following section presents information broken down by geographical area. It is followed by an analysis of the work being conducted by ‘national’ clinics – those which provide services to individuals across England and Wales regardless of where the client is based often via online or telephone advice clinics.

As the following pages will detail, there is considerable variation across the regions. Over half of all enquiries last year (57.3%) came from Greater London and 69.4% of all advice given across the network occurs in London.

As well as the number of clients being seen, there is also considerable variation in how enquiries are dealt with from region to region. LawWorks will be investigating the reasons behind this with clinics to identify if this is truly reflective of what is going on or if there is variation in the interpretation of survey questions from clinic to clinic.



57.3%
of all
enquiries
from Greater
London

EAST OF ENGLAND

 **1,714**

Enquiries at clinics across East of England last year

 **94.9%**

percentage given legal advice

 **5.0%**

percentage given general information, signposting or referral

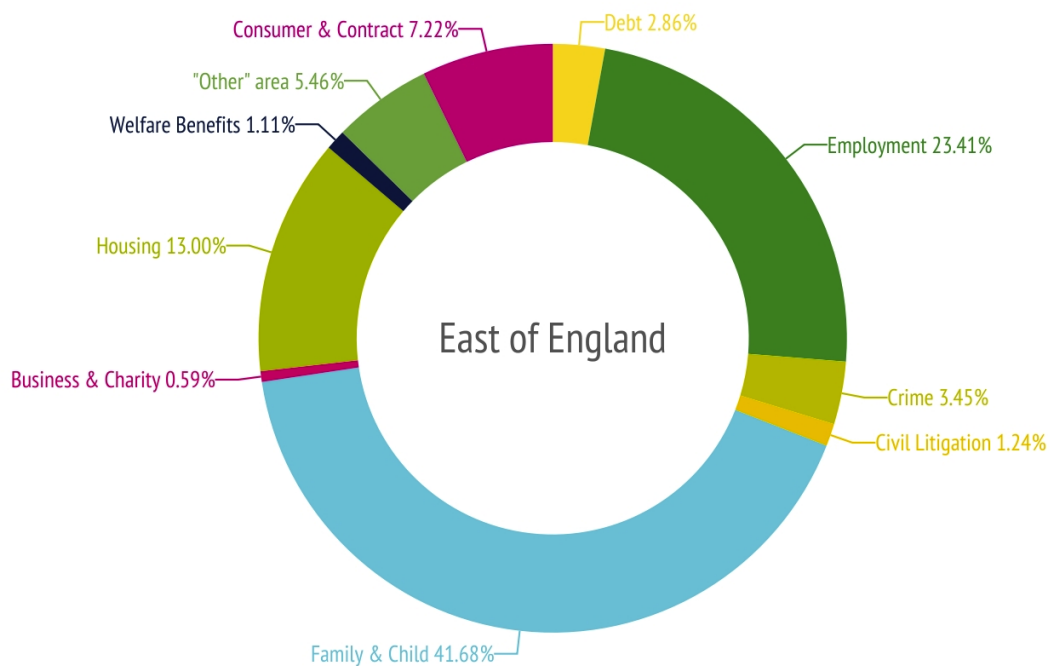


Figure 9.

EAST MIDLANDS

 **644**

Enquiries at clinics across East Midlands last year

 **37.6%**

percentage given legal advice

 **1.4%**

percentage given general information, signposting or referral

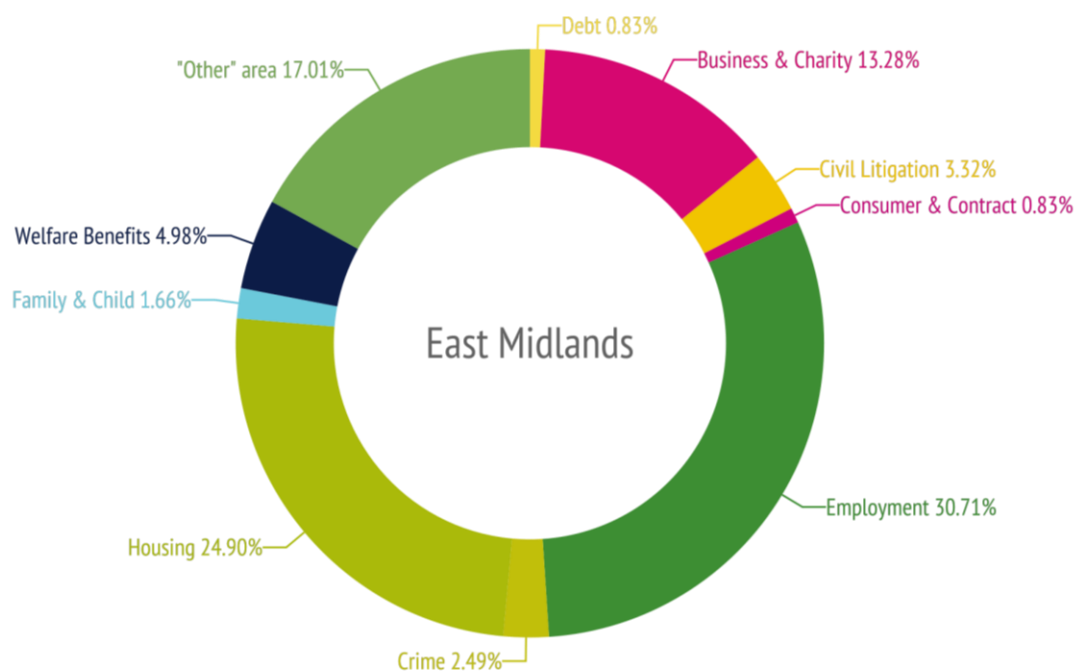
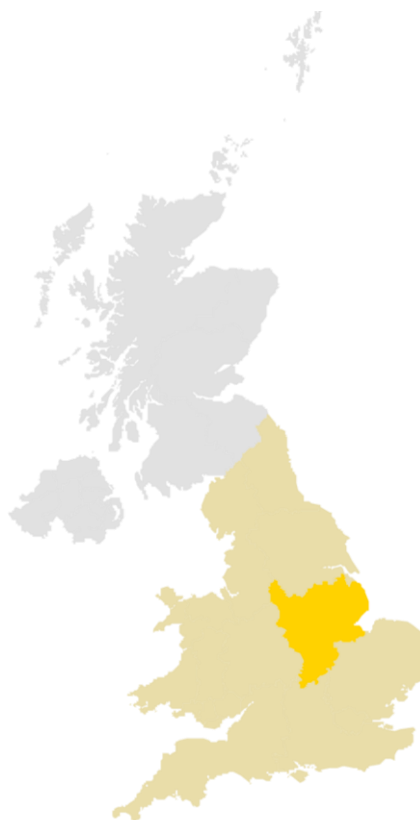


Figure 10.

GREATER LONDON

 **24,669**

Enquiries at clinics across Greater London last year

 **81.7%**

percentage given legal advice

 **14.8%**

percentage given general information, signposting or referral

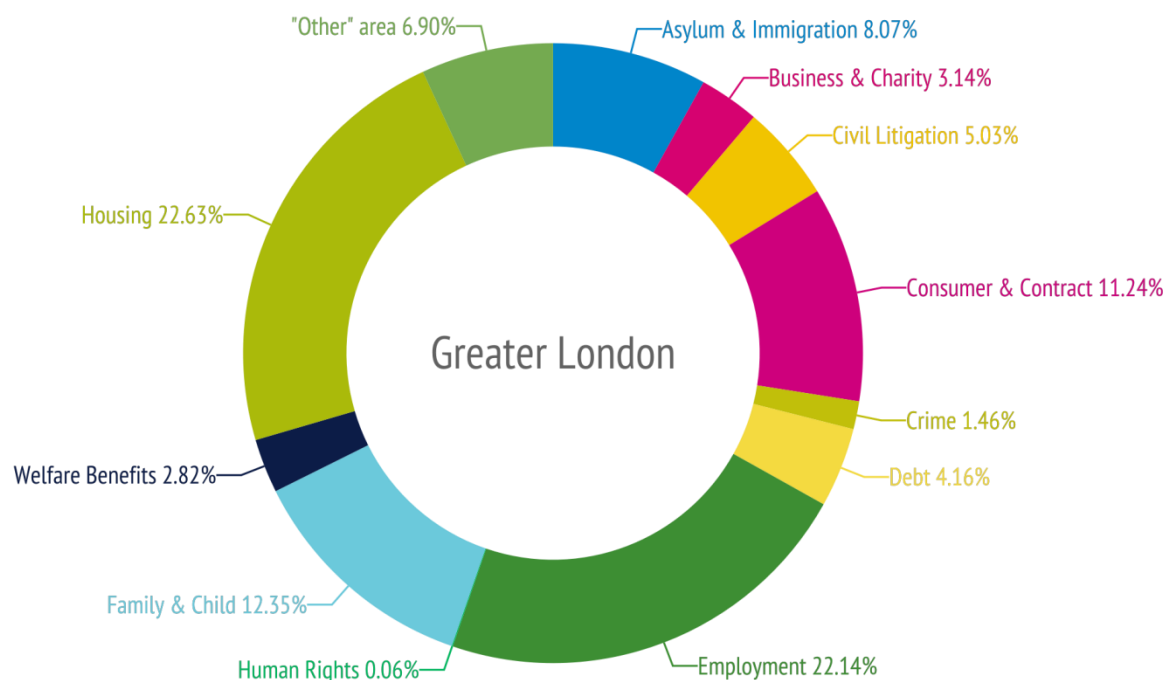


Figure 11.

NORTH EAST ENGLAND

1,316

Enquiries at clinics across North East England last year

57.5%

percentage given legal advice

3.0%

percentage given general information, signposting or referral

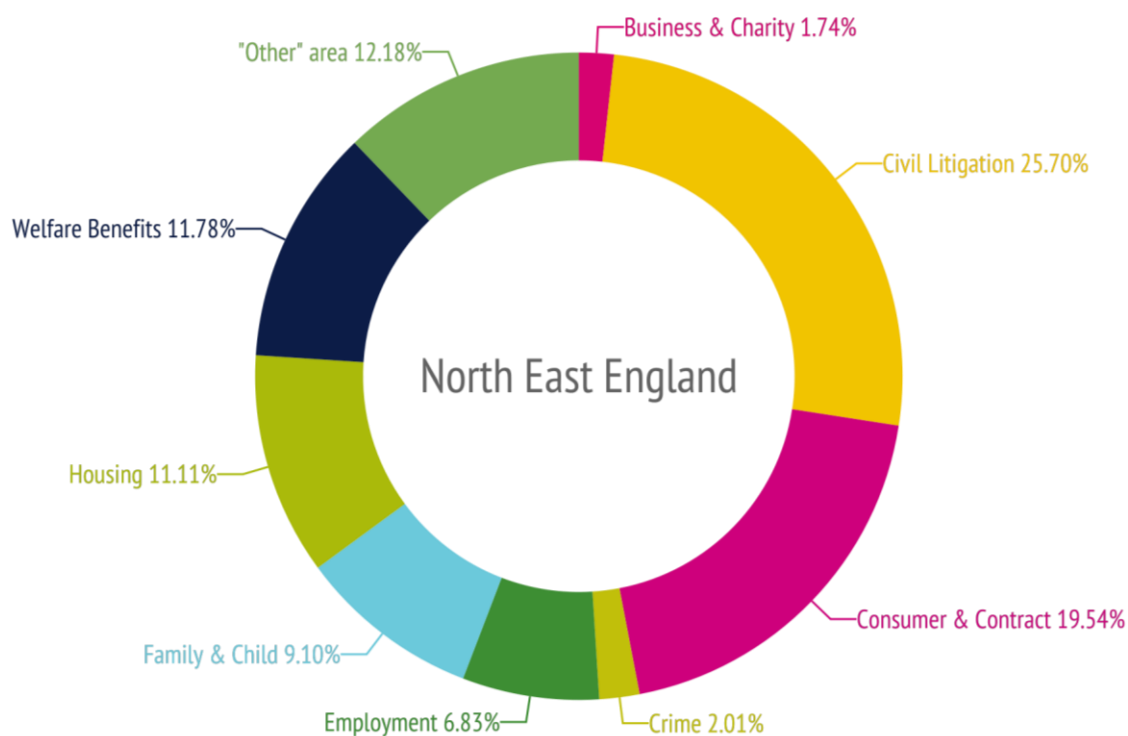


Figure 12.

NORTH WEST ENGLAND

 **1,802**

Enquiries at clinics across North West England last year

 **49.6%**

percentage given legal advice

 **32.1%**

percentage given general information, signposting or referral

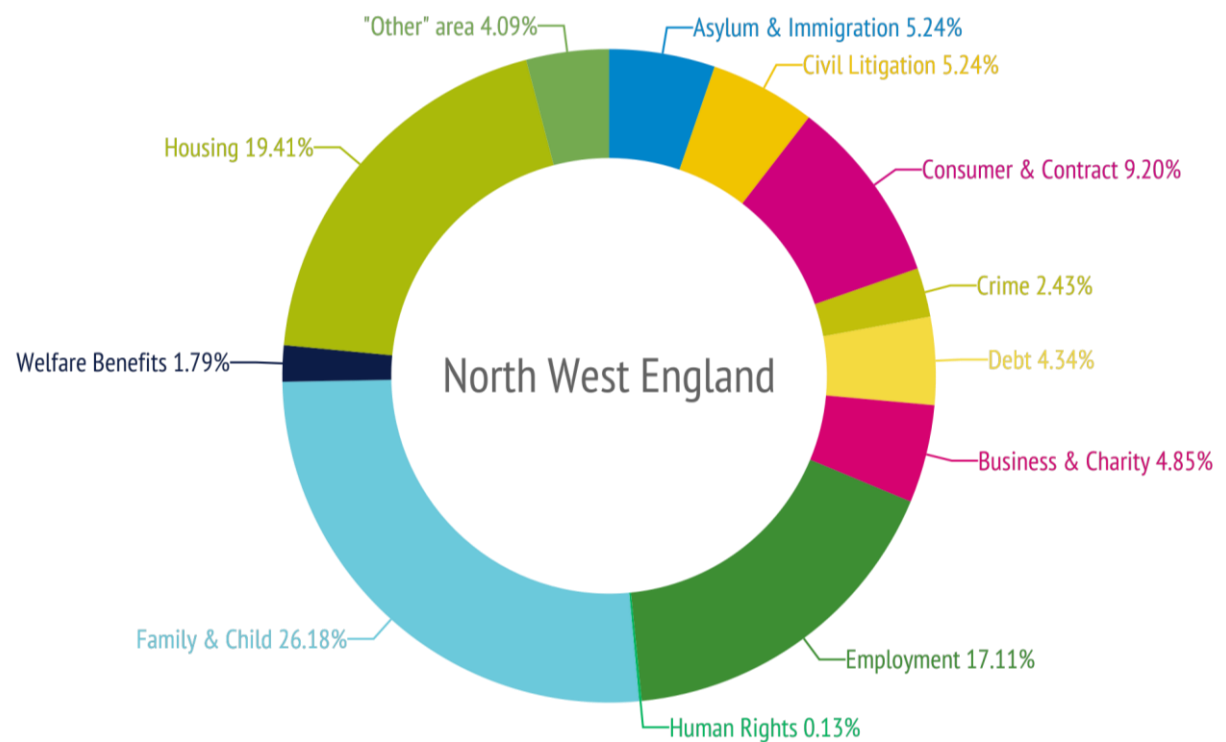
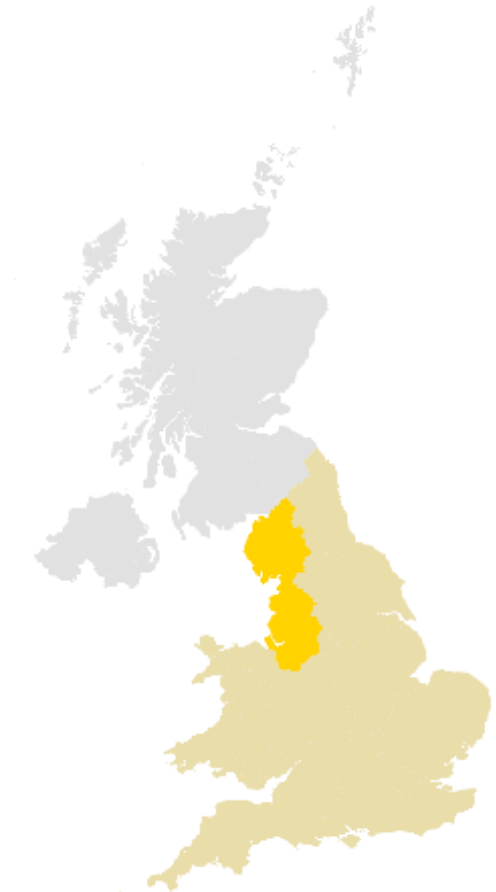


Figure 13.

SOUTH EAST ENGLAND

1,812

Enquiries at clinics across South East England last year

35.6%

percentage given legal advice

46.3%

percentage given general information, signposting or referral

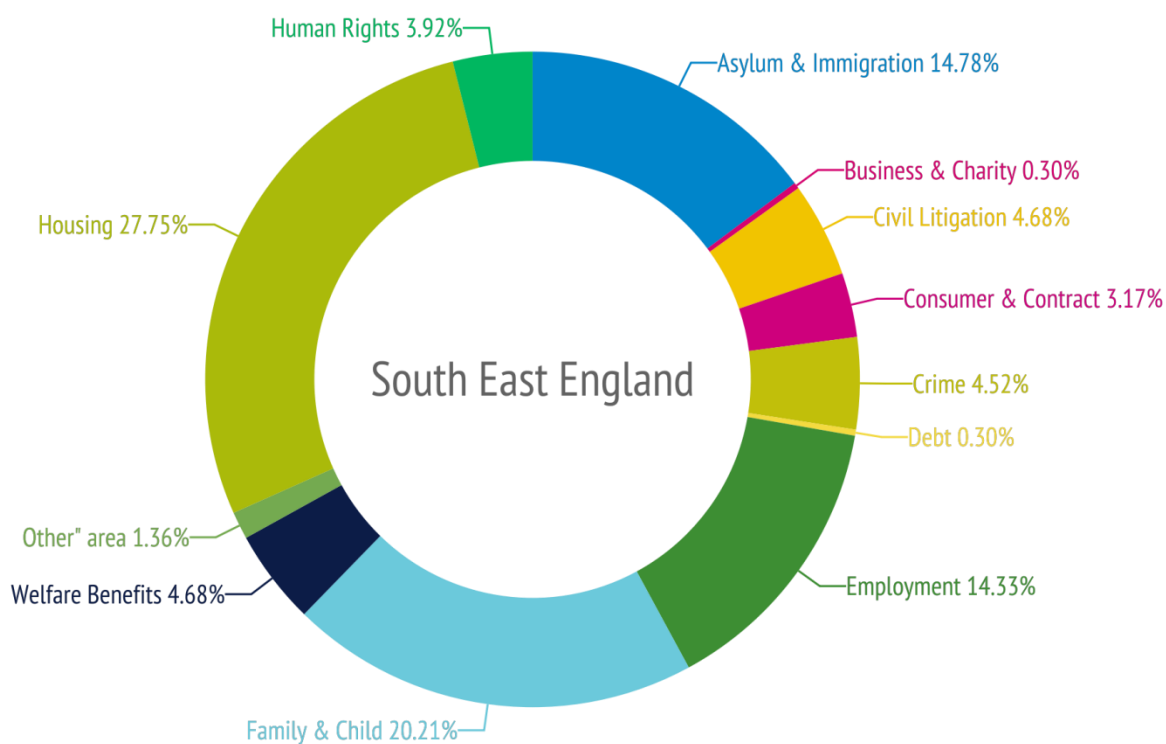


Figure 14.

SOUTH WEST ENGLAND

 **358**

Enquiries at clinics across South West England last year

 **39.1%**

percentage given legal advice

 **37.4%**

percentage given general information, signposting or referral

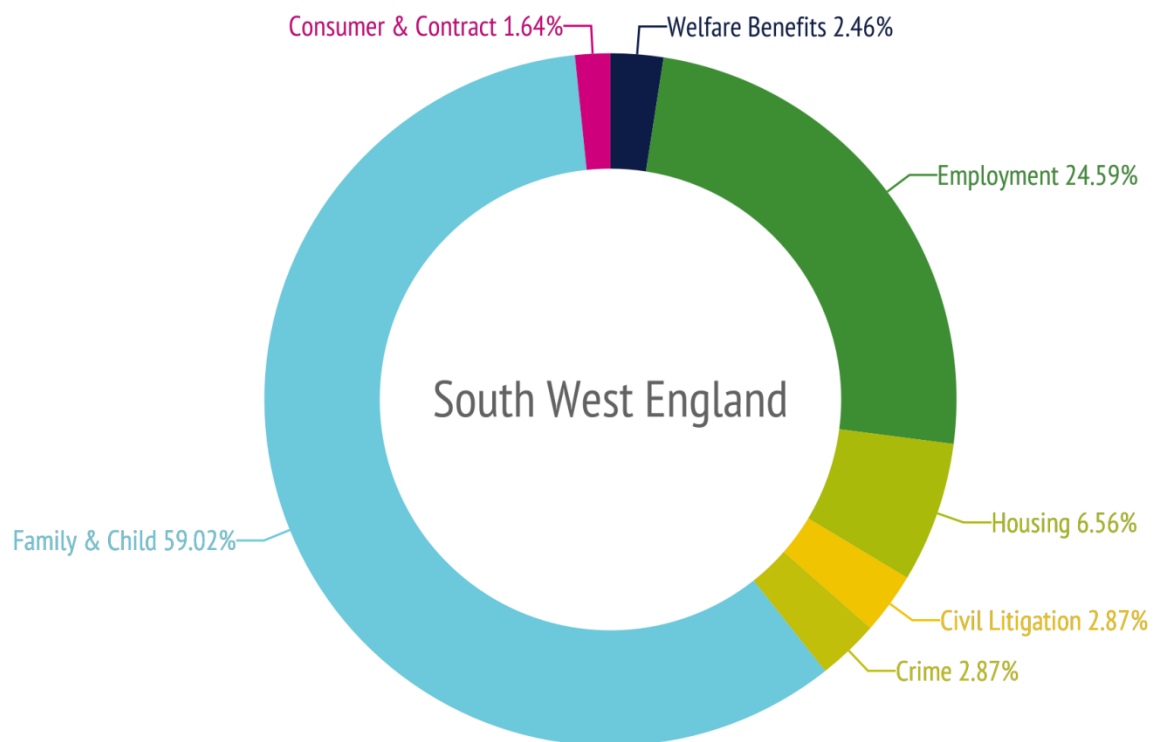


Figure 15.

WEST MIDLANDS

703

Enquiries at clinics across West Midlands last year

22.8%

percentage given legal advice

32.5%

percentage given general information, signposting or referral

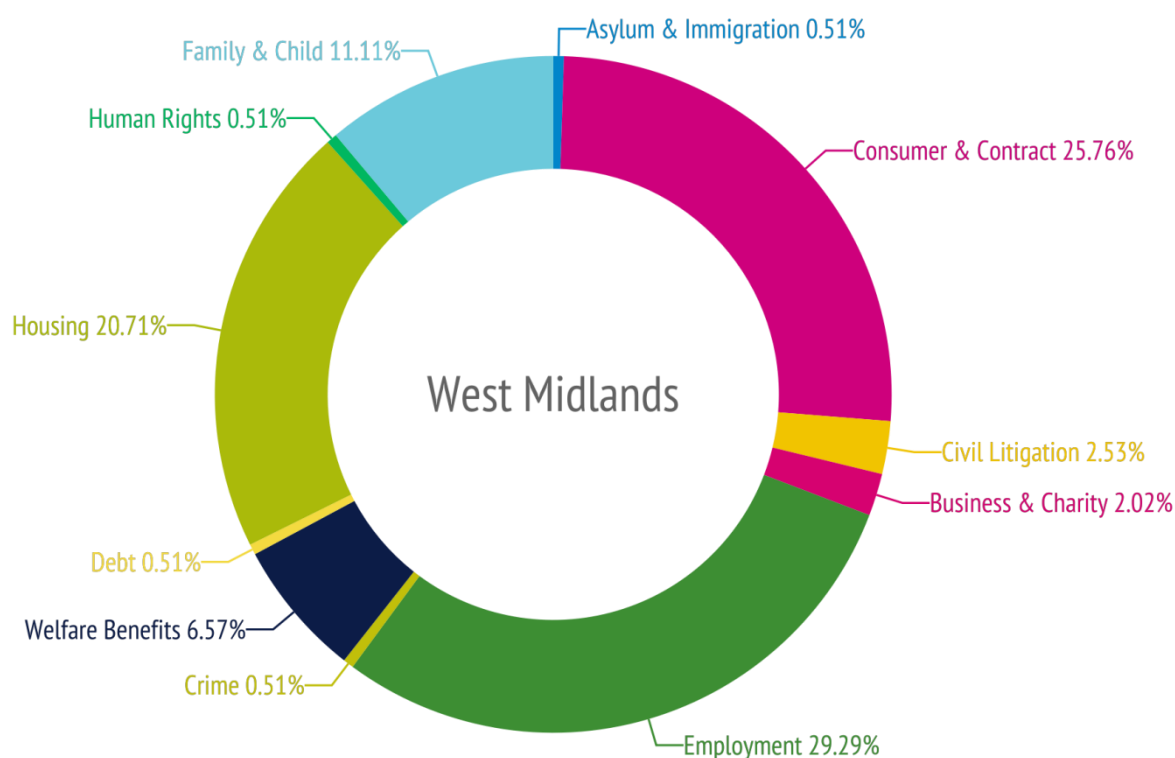


Figure 16.

YORKSHIRE & HUMBER

 **914**

Enquiries at clinics across Yorkshire & Humber last year

 **45.7%**

percentage given legal advice

 **5.8%**

percentage given general information, signposting or referral

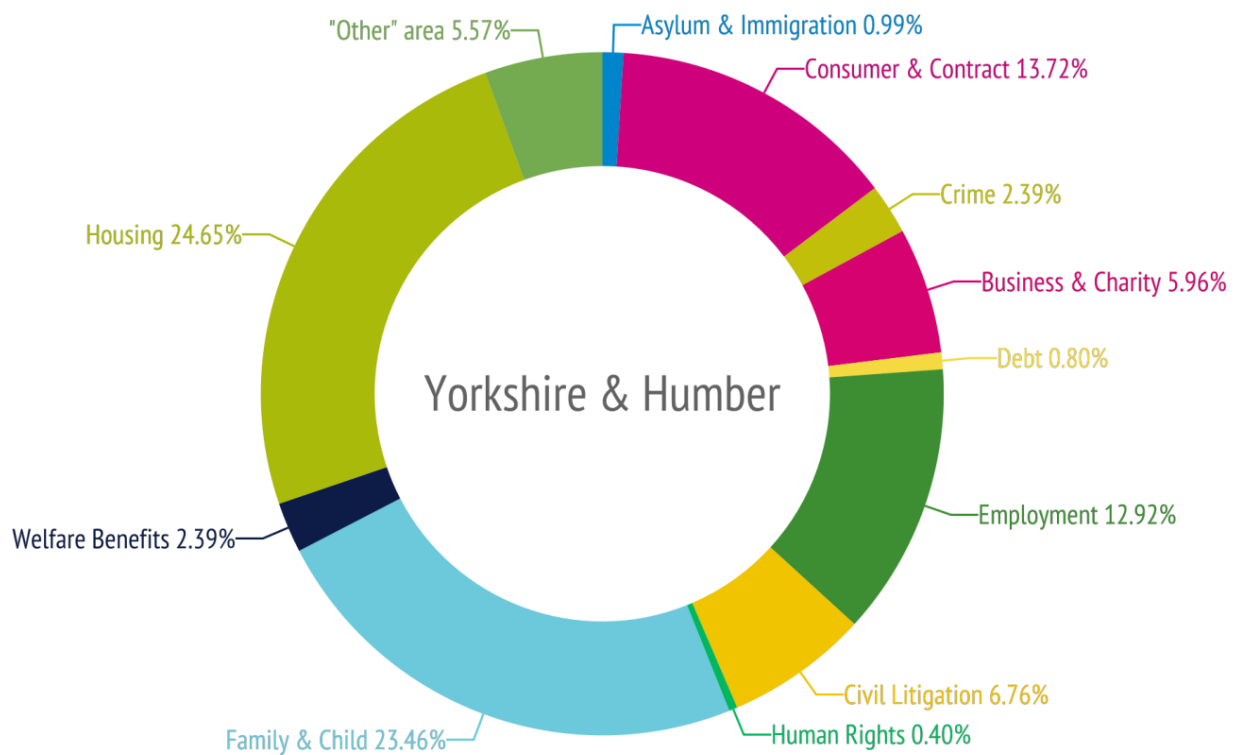


Figure 17.

WALES

1,915

Enquiries at clinics across Wales last year

74.1%

percentage given legal advice

23.2%

percentage given general information, signposting or referral

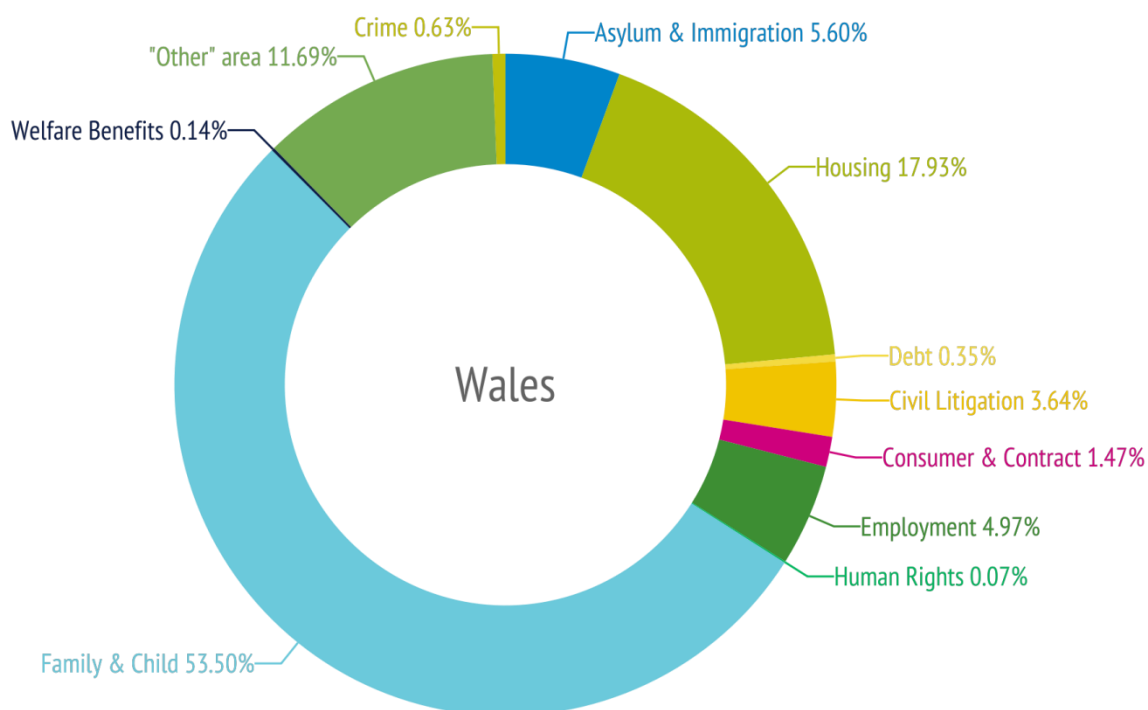


Figure 18.

'NATIONAL' CLINICS

 **7282**

Enquiries at 'national' clinics last year

 **51.3%**

percentage given legal advice

 **39.5%**

percentage given general information,
signposting or referral

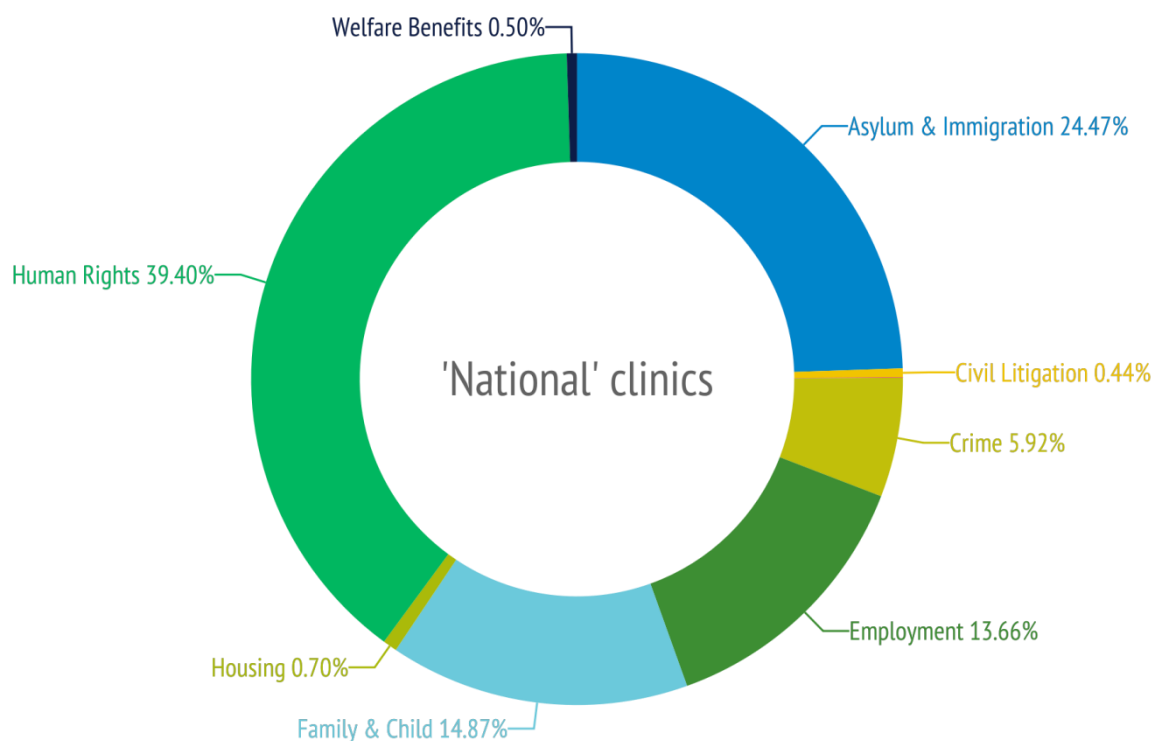


Figure 19.

Pro Bono Volunteering at Clinics

SOLICITOR AND BARRISTER VOLUNTEERS

Earlier in this report we explored the considerable reach that pro bono clinics have had over the previous year. In this next section we will focus upon the important contribution of volunteers. It is due to the willingness of volunteers to devote their time and energy to pro bono clinics that these services are possible.

Last year, 4,589 individuals volunteered across the LawWorks Clinics Network. Volunteers undertake the key task of providing advice and other legal assistance to clinic clients, however, there are also a variety of other vital supporting roles undertaken by volunteers. Figure 20 below sets out the breakdown of volunteers that supported clinics over the last year.

4,589
volunteers

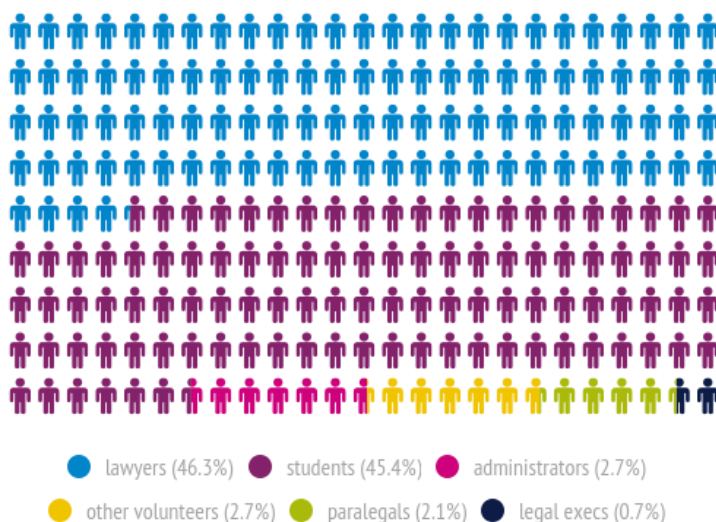


Figure 20.

The largest category of volunteers are lawyers, trainees and pupils, with 2,127 participating in clinics across the year – an increase of 119% compared to the previous year.

Solicitors, barristers, trainees and pupils make up 46.3% of all clinic volunteers. Breaking this down, there were 1,658 volunteer solicitors and barristers and 469 trainee and pupil volunteers. That is a ratio of three and a half fully qualified lawyers for every one trainee/pupil.

+119%
volunteer
lawyers

STUDENT VOLUNTEERS

The next largest grouping of volunteers is students with 2,084 participating in the network over the last year - confirming that students and law schools make a considerable contribution to the pro bono assistance provided by clinics.

32% of clinics in the LawWorks network are law school clinics. In addition, many law students play a role in supporting other clinics and organisations in their local communities.

We conducted a survey of students to find out how they contribute in pro bono clinics. These results are illustrated in Figure 21 below, with students able to select more than one role if applicable to them.

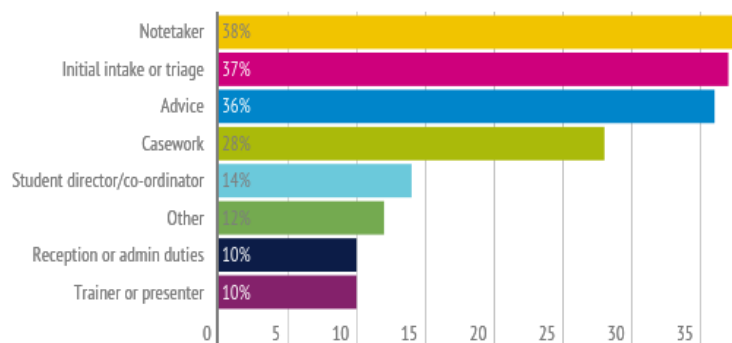


Figure 21.

The most frequent role by student volunteers was notetaker or scribe (38%), followed by students undertaking an initial triage or intake role (37%), and those involved in the provision of advice (36%), and the provision of casework (28%). Smaller numbers had been involved in coordination (14%), reception/administration (10%) or training or presenting (10%).

**2084 students
volunteer at clinics**

OTHER VOLUNTEERS

The remaining volunteers across the clinics network include administrative volunteers (2.7%), paralegals (2.1%) and legal executives (0.7%), with 'other' volunteers making up 2.7% of the total. While these categories represent a small proportion of the total number of volunteers, there has been significant growth of the numbers volunteering over the last year, where we have seen an increase in the number of legal executives (from 14 to 33) and paralegals (from 27 to 96) volunteering.

Clinic Clients

LawWorks asks clinics to collect anonymised information on the clients they help in order to identify who is benefiting from their services. This information can contribute to ensuring that pro bono efforts are being targeted to those most in need.

INCOME

LawWorks receives information from clinics on the annual income level of clients which helps us to show whether pro bono assistance is being provided for those likely to be unable to afford legal advice and representation.

We use the *Joseph Rowntree Foundation Minimum Income Standard⁹ [2014]* as our key income measure, using an average household income figure of £16,284. Figure 22 below shows that for those clients where annual income was recorded, almost two-thirds had an income below £16,284.



64%
of clients
below
minimum
income
standard

Figure 22.

During the period to which these surveys applied, the applicable income standard for a single working age person without children rose from £16,284 to £17,072¹⁰. We have collected data on the conservative figure of £16,284 over the entire year. In a sense this is a crude measurement as a proportion of the remaining third of clients whose income was above £16,284 but below the increased figure will not have been included. Our use of the Minimum Income Standard (MIS) can only be an approximate indication of household income overall. The MIS, for example, includes higher income

⁹ Joseph Rowntree Foundation, (2014), "A Minimum Income Standard for the UK in 2014", p2. Accessible at <https://www.jrf.org.uk/report/minimum-income-standard-uk-2014>

¹⁰ Joseph Rowntree Foundation, (2015), "A Minimum Income Standard for the UK in 2015", p2. Accessible at <https://www.jrf.org.uk/report/minimum-income-standard-uk-2015>.

thresholds for households depending on their size and composition.

LawWorks is reviewing how we collect information on income so as to ensure that we can better account for the variety of factors which impact on somebody's ability to pay for legal advice. Of course, it is worth noting that the MIS relates to the level of income required for day-to-day essentials and depending on the complexity of the legal matter and the individual's finances more generally, someone with a higher income still may not be in a position to afford legal advice and representation.

GENDER

Clinics also provided data on the gender identity of clients accessing their advice services. Figure 23 below represents the relative proportions (where gender was recorded) of female clients (49.6%), male clients (49.2%), and non-binary gender (1.2%).

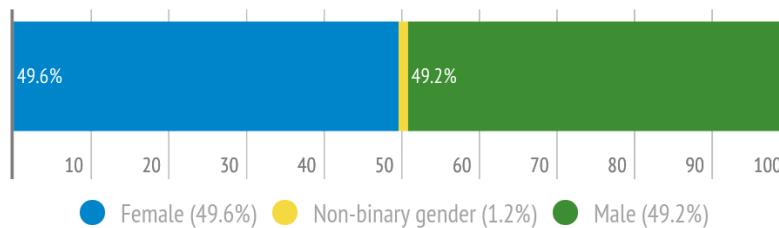


Figure 23.

The balance between the genders is more equal this year as last year a higher proportion of clients were male. Focusing on specific areas of law, this balance is important. The Ministry of Justice has reported that there has been an 83% reduction in sexual discrimination claims and a 77% reduction in equal pay claims¹¹.

A post-LASPO survey conducted by Rights of Women found that there were still significant barriers for women affected by domestic violence accessing family law legal aid. 58% of respondents ended up taking no action in relation to their family law problem as a result of not being able to apply for legal aid and 26% ended up representing themselves in court.¹²

¹¹ Ministry of Justice Bulletin, (2015) "Tribunal and Gender Recognition Certificate Statistics Quarterly, January to March 2015", p8. Accessible at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/434176/tribunal-gender-statistics-jan-mar-2015.pdf

¹² Rights of Women, (2014), "Evidencing Domestic Violence: Reviewing the Amended Regulations", p1. Accessible at <http://rightsofwomen.org.uk/wp-content/uploads/2014/12/Evidencing-domestic-violence-IV.pdf>.

ETHNICITY

Clinics also reported on the ethnicity of clients accessing their services. Figure 24 below sets out (where recorded) the ethnic diversity of clinic clients. Just under half of clinic clients are of 'White' ethnicity (45%). Over half of clinic clients (55%) are from ethnic minorities with nearly a fifth of 'Black' ethnicity (19%), just under a sixth of 'Asian' ethnicity (16%), with smaller numbers of clients of 'Other Ethnic Origin' ethnicity (15%), and of 'Mixed Race' ethnicity (5%).

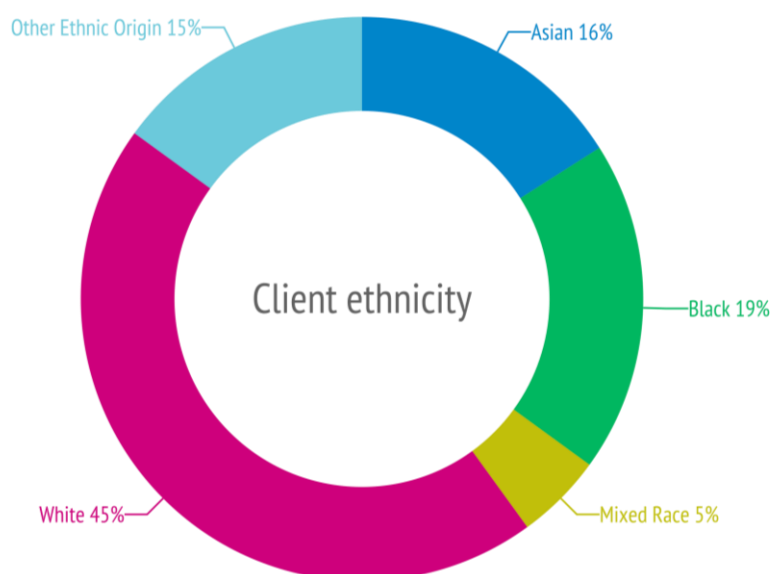


Figure 24.

According to Office of National Statistics data on ethnicity, from the 2011 census, ethnic minorities comprised 14% of the UK population¹³. In contrast, 55.2% of clients accessing clinics are from ethnic minorities.

¹³ Office for National Statistics, (2012), "Ethnicity and National Identity in England and Wales", p3-4. Accessible at http://www.ons.gov.uk/ons/dcp171776_290558.pdf.

AGE

Figure 25 below presents the data collected from clinics on the age of clients accessing their services. The age profile of clinic clients is similar to the previous year, with over half of clients (58%) between the ages of 25 and 45 years old. Only 0.3% of clients are under 18, and 4.1% of clients are over 65, down from a figure of 7% last year.

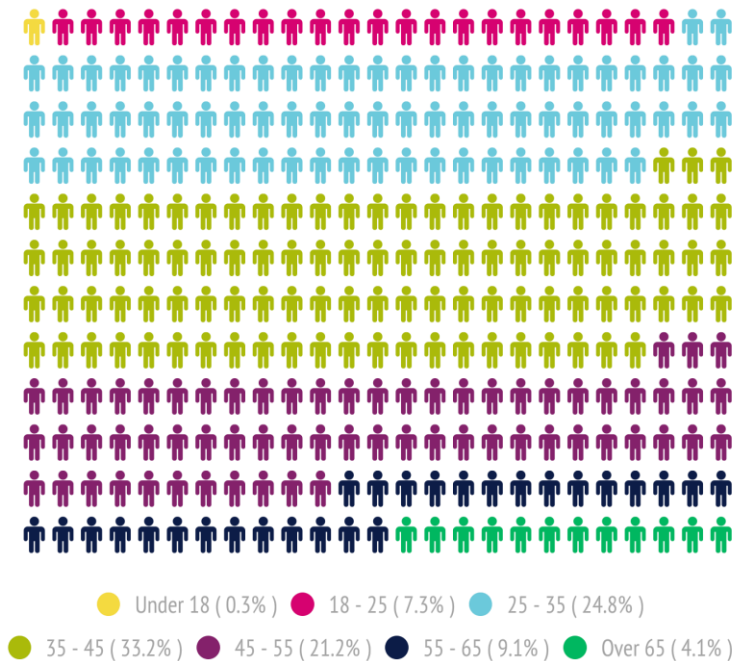
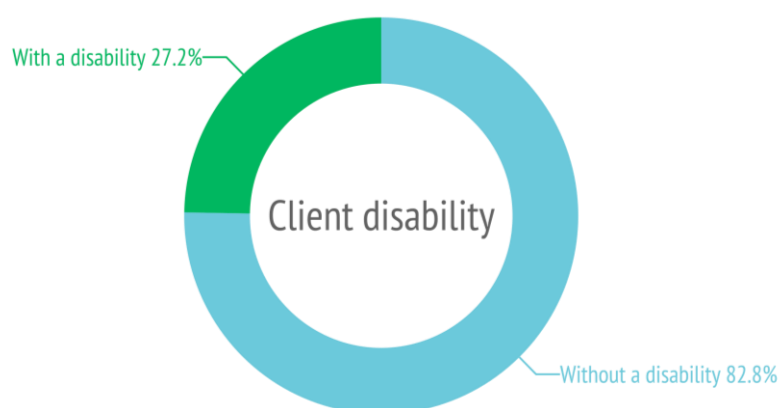


Figure 25.

DISABILITY

In 2014/15 over a quarter (27.2%) of clinic clients identified that they had one or more disabilities. The proportion of clients with disabilities has risen significantly compared to the previous year where the figure was 19.1% of clinic clients. This data is reflected in Figure 26 below.



27.2%
of clients have
one or more
disabilities

Figure 26.

The Family Resources Survey of 2013/14 found that 19% of the population of England & Wales have a disability¹⁴, so the 2014/15 figure of 27.2% represents a proportion considerably higher than the level of disability in the general population.

¹⁴ Department for Work & Pensions, (2015), "Family Resources Survey 2013/14", p41. Accessible at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/437481/family-resources-survey-2013-14.pdf.

Client Impact Assessment

LawWorks has been developing the monitoring and evaluation that takes place in an effort to increase knowledge about the impact that attendance at a pro bono clinic has on clients.

A sample of 80 clients that attended clinics in Wales took part in interviews which took place before the advice was given, directly after being given advice and through a follow up telephone interview around three months after their advice session. The assessment focused on the impact of the advice on the areas of health and wellbeing, stress, family relationships and understanding about the law.

HEALTH AND WELLBEING

 63%

of clients interviewed before their clinic appointment reported that their legal issue was having a negative affect on their health and wellbeing

At the pre-advice stage, 63% of clients reported that their legal issue was having a negative effect on their health and well-being. Shortly after receiving their advice, of the clients that felt mental or physical health was relevant to their situation, 61.9% of respondents felt that their mental or physical health had improved since receiving the free legal help. At the follow up interview stage some months later, 67% of respondents reported an improvement in their wellbeing in the longer term.

61.9%
of clients felt
their mental or
physical health
had improved

"If I had not received the advice I would have probably ended up hurting myself"

During the follow up interviews one client stated, ***"I feel emotionally calmer and mentally more stable."***

STRESS

Clients were interviewed to assess their stress levels in relation to the legal issue they were facing. Pre-advice, clients identified the range of emotions they were experiencing as a result of their issue as detailed in Figure 27 below.

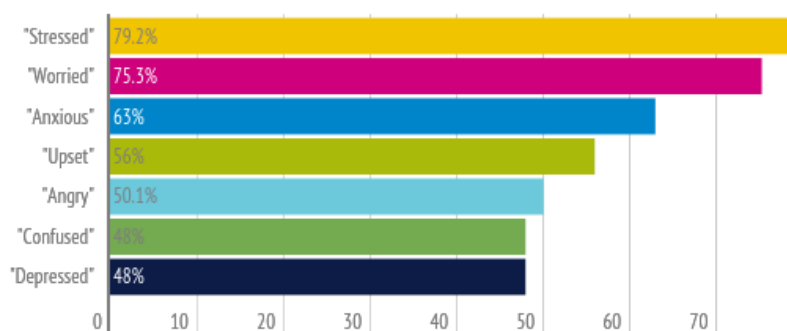


Figure 27.

79.2% of clients identified that they were feeling "stressed", 63% felt "anxious", 75.3% were 'worried', 56% 'upset', 50.1% felt 'angry' and 48% felt 'confused'. In addition, 48% identified that they felt depressed because of the legal issue they were facing.

"I am homeless. It is unbearable and I am extremely worried"

Follow up interviews identified that of those that thought stress was relevant to their situation, 76% of respondents felt less stressed as a result of receiving help. One client noted, ***"I was very stressed which affected my sleep. I am sleeping much better now... Overall I feel much happier."***

"I tend to think the worse. Receiving the advice so quickly reassured me. The solicitor gave me a more positive solution, and took away the worry of it. It resulted in a more positive outcome"

One particular client was particularly upset before their clinic appointment saying, ***"I have lost my home. I have lost my job. My life has been turned upside down."*** After receiving the advice, the client added, ***"I feel more calm. I feel less panicked."***

76%
of clients felt less
stressed as a
result of
receiving help

Over half (54%) felt “reassured” after receiving advice at the clinics, with over a third stating that they felt “able to face the problem” and “relieved” respectively. 28% felt “calm”, 24% “empowered” with 13% stating that they “felt no different” after receiving the advice.

“I understand that receiving legal advice cannot fix everything but it has helped me extremely with my anxiety and fear of losing my job”

Figure 28 below represents how clients felt after receiving legal advice at the clinic.

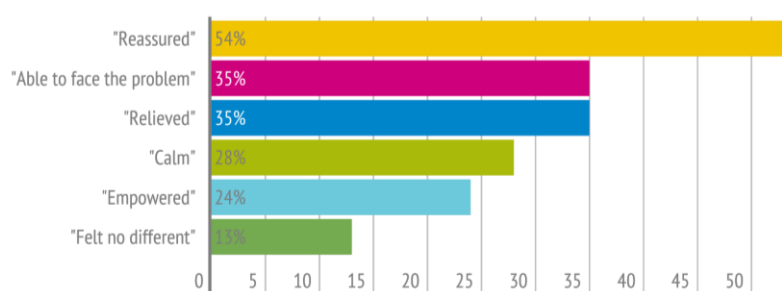


Figure 28.

FAMILY RELATIONSHIPS

As part of our impact measurement we wanted to look at how the legal issues faced by clinic clients were impacting on their relationships with family members, and if these relationships were affected by getting advice from a clinic.

Pre-advice, the majority of clinic clients interviewed (57%) stated there was increased tension within the family as a result of their legal issue. Over a quarter (27%) saw an increase in arguments within the family and one in ten had separated or divorced as a result of the issue. Smaller numbers considered that the legal issue was resulting in increased arguments with children (5%) and behavioral problems with children (8%). A third of clients interviewed felt the legal issue was making no difference to their family relationships.

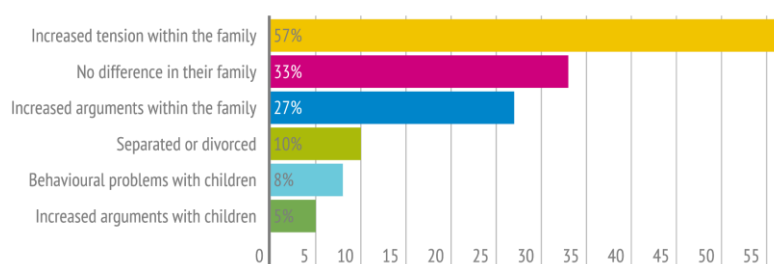


Figure 29.

Post-advice, of those that felt it was applicable to their situation 90.9% reported that the advice had led to an improvement in relationships with their family. One client stated, ***“It has affected me and my son in every way possible.”*** Another noted, ***“As a result of receiving the advice my partner has allowed my family and I to have contact with the baby.”***

“As a result of receiving the advice I now have contact with my daughter, supervised by my partner and there is hope of repairing the marriage. A positive outcome”

57%
of clients felt the legal issue was increasing tension within their family

90.9%
reported that the advice had led to an improvement in relationships with their family

The interviews were for a sample of clients accessing clinics across Wales. A disproportionately high proportion of advice given in clinics in Wales is in the area of family law.¹⁵ The impact of advice on family relationships for clients interviewed may be disproportionately high compared to the full clinics network. A broader sample will be required in the future to test this hypothesis.

¹⁵ 53.5% of all advice given by clinics in Wales compared to an average of 17.1% across the network generally. See page 34 for a full breakdown of advice in Wales.

LEGAL UNDERSTANDING

Follow up interviews highlighted that visiting a clinic increased the client's understanding of their legal issue and options. 95% of clients said that they had a better understanding of their matter after receiving the advice.

One client stated, ***"The person I saw was very kind, patient, and made me feel comfortable. They took their time to explain things in a way that I could understand"***.

"I feel informed and understand the situation and legal matter much better. I know where I stand"

Client comments highlighted that the volunteers at the clinic were able to support the client to identify their specific legal issue. One stated that they felt empowered because the volunteer ***"gave me an objective view of the matter. They helped me see things I could not see on my own."*** Another added, ***"I was stuck and getting nowhere before I received the legal help from the clinic."***

Clients identified that the volunteers helped them to identify the available options and consider which would be in their best interests. One client stated that visiting the clinic ***"helped me to avoid going to court. Without the advice I would have chosen to go to court, which was not the best option for me"***. Another said, ***"I could have made the wrong choice without the advice. Very helpful!"***

"I feel more confident to deal with the situation after my advice"

As well as being supported with their immediate legal problem, clients identified that after visiting the clinic they felt they would be better able to resolve legal issues in the future: ***"If I was ever in a similar employment situation I will know what to do to deal with the matter. I am now better informed."***

"I have a better understanding and now know what to do in the future"

95%
had a better
understanding of
their matter after
receiving advice

Clinic Trends

LawWorks undertakes an annual survey of clinic co-ordinators to identify the trends and challenges clinics have been experiencing over the last year. In Figure 30 below we set out the findings.

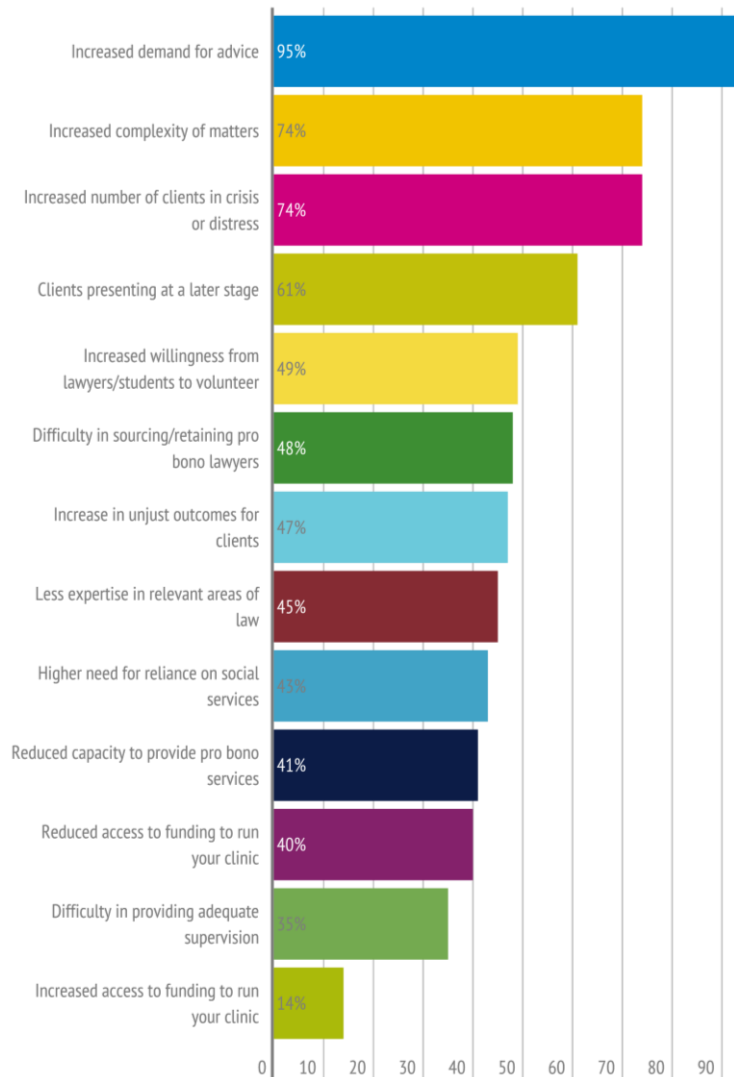


Figure 30.

95% of clinic co-ordinators have seen an increase in demand for pro bono legal advice over the last year. This follows a reported 84% increase over the previous year.

95%
of clinics have
seen an increase
in demand for
pro bono

Nearly three-quarters (74%) of clinic co-ordinators reported an increase in the complexity of the legal matters clients are presenting at the clinic and over three-fifths (61%) are seeing clients presenting at a later stage of their problem.

The majority of clinics are seeing an increase in the number of clients in crisis or distress (74%) and nearly half (47%) believe there to have been an increase in the number of unjust outcomes for clients.

Against a backdrop of increased demand and complexity, nearly half (48%) of clinics report experiencing difficulty in sourcing and retaining pro bono lawyers. Nearly half of clinics reporting also said that they have less available expertise in the relevant areas of law (45%), and over a third (35%) are finding it difficult to provide adequate supervision for volunteers.

Looking at the underlying infrastructure needed to host a pro bono clinic, over two-fifths of clinics (41%) have reduced capacity to provide pro bono services, two-fifths (40%) have reduced access to funding to run their clinic, and only 14% have experienced increased access to funding to run their clinic.

Within this challenging environment, it is promising to see that nearly half of clinics (49%) report an increased willingness from lawyers and students to volunteer. With less than a third of clinics experiencing this the previous year, it is encouraging to observe a significant increase in the willingness of the legal community to volunteer their time, skills and knowledge to support individuals in need of help.

74%

of clinics have
seen an increase
in complexity of
cases

49% of clinics have
seen an increased
willingness from lawyers
and students to
volunteer